

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

WNI 20-027864
LOGS Legal Group LLP
14000 Commerce Parkway, Suite B
Mount Laurel, NJ 08054
(856) 793-3080
Elizabeth L. Wassall, Esq. 023211995
ATTORNEYS FOR WELLS FARGO BANK, N.A.

In Re:

JACK H. BANKS, JR.,
DEBTOR

Case No.: 20-23540-JNP

Judge: HONORABLE JERROLD N.
POSLUSNY, JR.

Chapter: 13

NOTICE OF OBJECTION TO CONFIRMATION

The undersigned, LOGS Legal Group LLP, attorneys for the Secured Creditor, Wells Fargo Bank, N.A., the holder of a Mortgage on Debtor's property located at 201 Mill Road, Somerdale, NJ 08083, hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Plan, on the following grounds:

1) Debtor's proposed Chapter 13 Plan does not provide for the curing of the full amount of the mortgage arrearage accrued at the time of the Bankruptcy filing to Secured Creditor. Debtor's Plan proposes to pay Secured Creditor \$0.00. Secured Creditor is owed pre-petition arrearage in the approximate amount of \$8,017.87.

2) Debtor's proposed Chapter 13 Plan does not provide for the Secured Creditor to receive distributions with a value equal to the allowed amount of its claims required by 11 U.S.C.1325(a)(5)(B)(ii).

3) Debtor's Proposed Chapter 13 Plan provides for an ongoing monthly post-petition payment of \$0.00 but the current monthly obligation is \$1,515.35, in violation of 11

U.S.C. 1322(b)(5). Secured Creditor requires full monthly post-petition payments owed to Secured Creditor under the terms of the Note and Mortgage.

WHEREFORE, Wells Fargo Bank, N.A. respectfully requests that the Confirmation of Debtor's Chapter 13 Plan be denied, and that the Debtor be required to file an Amended Chapter 13 Plan providing for full payment of arrears due to the Secured Creditor.

LOGS LEGAL GROUP LLP

By: /s/Elizabeth L. Wassall
Elizabeth L. Wassall - 023211995

Dated: 1-5-2021

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CERTIFICATION OF SERVICE

I, the undersigned

1. ☐ represent the _____ in the above-captioned matter.
☒ am the secretary/paralegal for Elizabeth L. Wassall, Esquire, who represents the Secured Creditor in the above-captioned matter.
☐ am the _____ in the above case and am representing myself.
2. On _____, I sent a copy of the following pleadings and/or documents to the parties listed in the chart below:
 - Notice of Objection to Confirmation
3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Signature

Dated: 1/6/2021

/s/ Linda Wright

Printed Name

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Brad J. Sadek Sadek and Cooper 1315 Walnut Street Suite 502 Philadelphia, PA 19107		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Isabel C. Balboa Chapter 13 Standing Trustee Cherry Tree Corporate Center 535 Route 38 - Suite 580 Cherry Hill, NJ 08002		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
Jack H Banks, Jr 201 Mill Road Somerdale, NJ 08083		<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)
		<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court*)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.